



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

May 10, 1995

Cathy Lee Adams
LAIC, Inc.
6515 W. Clearwater
Suite 212
Kennewick WA 99336

Dear Ms Adams:

RE: Ground Water Application No. G4-31388 - Temporary Permit Request

I have asked my staff to provide me with an analysis of how many water right applications are senior to your application in the area and what the conditions of the aquifers are. It appears there are 25 applications pending within an approximate five-mile radius of your application that have priority dates before yours. Several of these applicants are also anxious to receive permit decisions and have been told that we do not have the staff available to work in the area. When we are able to make permit decisions in the area, these applications will have priority access to the water available for new appropriations. Until we are able to determine which aquifer each application can be approved for, we cannot be certain that water will be available to meet your needs without impairing a senior water right.

There are two potential aquifers available to you. One is the unconfined sediments which generally supply water for single domestic wells and, if not withdrawn, eventually flows to the Columbia River. The second would be the Saddle Mountains Basalt Formation which lies just below the sediments. This aquifer would require the well to be cased and sealed into solid basalt which is believed to begin at a depth of about 160 feet below land surface in your area. A single well cannot penetrate and be open to both aquifers.

A well drilled into the unconfined sediments may meet the quantity of water you request or may be less productive. This aquifer is recharged by local precipitation and deep percolation of irrigation water. Our records do not show a well utilizing this aquifer within 500 feet of your proposed well location, however, our records are not complete. Since you are served city water in the area, it is less likely that domestic wells are present in this area. If domestic or other senior water right wells are located within this radius, we would likely not be able to grant a water right for this aquifer in order to prevent well interference and impairment of existing water rights or potential domestic uses. Since we cannot make a determination whether these wells exist without a field inspection, I cannot guarantee that a well drilled into this aquifer will be approved for a final permit decision.

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A well drilled and cased into the Saddle Mountains Basalt Aquifer would likely provide the water you are requesting, however, the cost for drilling such a well will likely be as much as four times more expensive. In addition, this will also likely be the same source approved for use by some of the senior water right applications. Until we are able to make all these determinations, we cannot be certain that water will still be available for your use without causing some type of impairment to senior water rights.

As you can see, we cannot guarantee that a well drilled under a temporary permit will also be approved for a regular water right. If you decide to drill a well, you should seriously consider the factors I have discussed and then proceed only if you are willing to accept the risk that the well may not be able to be used as drilled or that the well may not even receive final approval.

Before you decide whether to drill a well, I suggest you fully examine your options for finding other easements to obtain KID water. These may be less costly in the long run and will certainly be less risky. If these other options do not provide a solution, please understand that drilling a well before a final permit decision can be made will be costly and might only be a temporary solution if a final permit cannot be issued for the well drilled or cannot be issued at all.

Since you have lost access to your KID water for an existing irrigation use, we are willing to issue a TEMPORARY PERMIT to use ground water until you are able to obtain alternate access to your KID water or obtain approval for Ground Water Application No. G4-31388. In accordance with the provisions of Sections 90.03.250 and 90.44.020 of the Revised Code of Washington (RCW), you may consider this letter to be a TEMPORARY PERMIT which is subject to the following limitations and provisions:

1. The priority date of this TEMPORARY PERMIT is July 10, 1992.
2. The point of withdrawal will be within Lot 1, Tract B of Highlands Plat, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T. 8 N., R. 29 E.W.M.
3. Water is to be used for the irrigation of 6.8 acres from April 1 to October 31.
4. The place of use is to be:

Lot 3, Short Plat No. 398 plus the easterly 34 feet of the southerly 430 feet of the east boundary of Tract 4, Highlands Plat E, records of Benton County, Washington.

The north 485 feet of the east 157.5 feet of Tract 7 and Lot 8, Except that portion of Lot 8 described as follows: Commencing at a point which is 4 feet due east of the headstand pipe situated on the southeast corner of the above described Lot 8, and

proceeding thence from said point of beginning due west a distance of 300 feet to a point; thence from said point along said northerly boundary line in an easterly direction a distance of 300 feet to a point; thence from said point on a straight line to the point of beginning. All in the Highlands Plat E, According to the Plat thereof recorded in Volume 2 of Plats, Page 55, records of Benton County, Washington.

5. The maximum quantity authorized for withdrawal shall not exceed 200 gallons per minute and 27.2 acre-feet per year. This use is supplemental to any water put to beneficial use on the same acres from the Kennewick Irrigation District.
6. All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).
7. Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.
8. The well shall either be drilled into the unconsolidated sediments or shall be cased and sealed into the Saddle Mountains Basalt Formation. Under no circumstances shall the well be open to and derive water from both aquifers.
9. This TEMPORARY PERMIT does not guarantee a regular permit will be issued pursuant to Ground Water Application No. G4-31388 nor should it be construed that a regular permit will be issued for any well constructed on this TEMPORARY PERMIT.
10. This TEMPORARY PERMIT shall remain in effect until Kennewick Irrigation District Water service can be returned to the property or until a regular permit decision can be made for Ground Water Application No. G4-31388 unless revoked sooner for just cause.

Sincerely,



Darlene M. Frye
Section Manager
Shorelands and Water Resources Program